

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 13, 2006

The Hamilton County Board of Commissioners met on Monday, November 13, 2006 in the Commissioners Courtroom, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 1:00 p.m. President Holt called the public session to order at 2:12 p.m. and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Approval of Minutes

Dillinger motioned to approve the minutes of October 23, 2006. Altman seconded. Motion carried unanimously.

Executive Session Memoranda

Dillinger motioned to approve the Executive Session Memoranda for November 13, 2006. Altman seconded. Motion carried unanimously.

Millersburg [2:13:20]

Mr. Robert Hayes, 8140 279th Street, Arcadia. Hayes stated he has been in contact with the county highway department since June regarding reopening Walnut Street in Millersburg. His last conversation with the highway department was two weeks ago and he was told that they were in the progress of negotiating the sale with the owner. Hayes stated he would like a decision on this. Holt stated it is the Commissioner's understanding that the highway department is working on this with the landowner. The landowner has now hired Counsel and we should be learning something in the near term.

Canterbury Estates Variance [2:15:17]

Mr. Nathan Althouse, Miller Surveying, 948 Conner Street. Althouse stated Canterbury Estates is a three lot residential minor plat that has received BZA and Plan Commission approval of a private drive. Althouse requested approval of a private drive approximately 2,700' in length and 22' in width with no stub streets. Hamilton County Code states the road can be no longer than 600' cul-de-sac without a stub street. This is a private subdivision owned by relatives. The subdivision will be gated. Althouse requested approval of the private drive and a waiver to not have to widen 196th Street 3'. These are comments from the highway department. All TAC members have signed off, Wayne Township Fire Department has signed off. The drive comes into the property and at 400' it hits a ditch then over a culvert. We plan on keeping that part of the road private at 24' wide with a 100' taper at the entrance of 196th Street. After the bridge the road would be narrowed to 22' wide and then wind across the property an additional 2,200'. Althouse stated technically they did not have to plat it. They received BZA approval with these lots having no public road frontage. They meet the private road requirements and the 10 acres+ for the area. Drainage easements, utility easements and access easements have been platted. Mr. Joel Thurman stated the original submittal was a primary plat, secondary plat and construction plans all rolled into one. In reviewing the plat we look at county standards and ask for everything through the county standards, some of things being right of way along the frontage of the road, improvements to the county road that it abuts, all of the streets be built to county standards, if they are private streets we ask for certain things on the plat that prevents them from coming back later and asking for the streets to be public. This was reviewed and commented on last month. We have a list of standards that we like to see - the standard cul-de-sac length is 600' and no roadways 2,700', no improvements along the road and right of way dedication, road built to county standards, there is a major ditch that will have a structure carrying the road over it and we would like to see more information on that. Howard asked if these items have not been addressed? Thurman stated they have not been addressed. Althouse stated there are 13 items on Mr. Thurman's list and all of them are simply fixed except for the three we are asking for, the length of the road would kill the project. 600' barely passes the creek and the property is north/south ½ mile. The widening of the road to make a private drive of 2,000' long an extra 2' would kill the project. They have discussed gating the property on the south side of the creek. Altman asked why they went through the subdivision process if you did not have to? Althouse stated they have common areas, ingress/egress easements. We could have done it but it would be cleaner if we had platted easements. Altman stated she is more concerned about the tax value of the common area and it not be lost to the county because you platted it as common area and not as part of someone's lot that should be taxed. Althouse stated there will be an association and on the common area there will be an accessory building that the three homeowners will share. Altman stated that can all be done without a plat. Howard stated most lots have to front on a public street unless there is a variance. The issues on standards would not be there for a simple variance for a road frontage? Howard stated it would still be there because the ordinances of most jurisdictions say you must front on a public street, the variance would be from a standard of fronting on a public street. We would get the same issue if you plat it or not. Altman stated the variance would involve the plan commission, not us. Howard stated you would still have to give a variance of whether or not it is a public street. You will still have the issue that if it is not built to standards, 10 years from now when the maintenance assessment goes to the property owners they will not understand the assessment. Dillinger stated the uniqueness of this is that it is all family, what does not make sense is the 6,500' square foot house and they can't afford an additional 2' on the driveway? Althouse stated that is what he has been told. Holt stated he does not care about the length or width of the road but he does care about the other issues Thurman has raised such as right of way dedication, Althouse stated that is not a problem. Holt asked about the structure and what it is doing on the stream. Althouse stated it is an existing structure and we are revamping it. We were going to replace it with the same size culvert but we are leaving the structure as it is. Holt stated he can't tell what of the 13 issues is resolved and what is not, we don't have them in front of us. Holt stated he would like him to work with the highway department. Thurman stated if this is going to be a private road we would require the typical language on the plat, Howard stated and a maintenance covenant and a lien against everybody and how you foreclose against the lien. The standards issue is still an issue. If they don't build to county standards the less standards they build to the better chance they will be here wanting maintenance. Altman stated we have done that with the Mayflower Development. Howard stated through a commercial development because they are more sophisticated than residences. Residences will be back. Thurman stated the bridge is a good example, if they are going to rehab what is there now but if it is going to be a public road he can almost guarantee it would not pass our standards. That will be an expense that is going to dwarf the expense of the additional 2' of improvement. Holt stated he sees flexibility on county standards but it is the other issues that we need to address. Dillinger motioned to table. Altman seconded. Motion carried unanimously. Dillinger stated when you come back we need a list of the issues, what has been resolved and what has not been resolved and why they have not been resolved.

CDBG Grant [2:28:30]

Salvation Army Agreement

Mr. Mark McConaghy requested approval of an agreement between the Salvation Army and Hamilton County for Rent Mortgage Assistance as part of the Community Development Block Grant. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

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Emergency Repair Program

McConaghy stated originally the Emergency Repair Program was funded at \$5,000 for emergency repairs for low income homeowners, the maximum was increased to \$8,000 last year. We are finding out that with roof repairs the \$8,000 is not enough. McConaghy requested increasing the maximum to \$15,000. This is the only year they are going to handle emergencies like this. In future years they will roll it into their housing program. Altman asked how McConaghy is doing on the budget, if we increase the cap will that foreclose other people with emergencies because you are running through funds too quickly? McConaghy stated they have not had a lot of response for this particular program so there is still money available. Dillinger motioned to approve. Altman seconded. Altman stated she has concerns that he be very judicial with this funding. You need to give people incentive to participate in the costs to the extent they can. McConaghy stated the emergency program is limited to fixed income households that are typically 50% below median income. Motion carried unanimously.

Bid Opening [2:32:22]

Rehabilitation of Homes

Bids for the Owner Occupied Rehabilitation Program were opened in Conference Room 1A. Howard stated two bid packets were submitted on time and one bid packet was submitted at 2:23 p.m. which is 23 minutes after the bidding deadline. If we find it does not adversely effect the competitive nature of the bidding you the Commissioners have the discretion of considering that bid. Dillinger motioned to consider the late bid. Altman seconded. Motion carried unanimously. Holt asked that the bids be taken to Conference Room 1A to be opened. Howard opened the bids:

305 E. Meridian Street, Atlanta, Indiana

Tim & Daughters - \$47,477

ICS - \$52,602

JA Yanzey & Associates - no bid

133 Hiawatha Drive, Noblesville, Indiana

Tim & Daughters - \$47,492

ICS - \$27,401

JA Yanzey & Associates - no bid

163 Tippecanoe Drive, Noblesville, Indiana

Tim & Daughters - \$46,211

ICS - no bid

JA Yanzey & Associates - no bid

205 South 8th Street, Noblesville, Indiana

Tim & Daughters - \$35,395

ICS - \$22,609

JA Yanzey & Associates - \$45,310.05

11000 N. Broad Street, Noblesville, Indiana

Tim & Daughters - \$33,225

ICS - \$26,480

JA Yanzey & Associates - no bid

239 S. 8th Street, Indianapolis, Indiana

Tim & Daughters - \$38,482.00

ICS - \$17,744

JA Yanzey & Associates - \$33,594.75

355 S. Indiana Street, Atlanta, Indiana

Tim & Daughters - \$27,982

ICS - \$17,442

JA Yanzey & Associates - \$26,289

612 Hillcrest Drive, Westfield, Indiana

Tim & Daughters - \$20,295

ICS - \$17,042

JA Yanzey & Associates - no bid

1149 Shoreline Drive, Cicero, Indiana

Tim & Daughters - \$26,950

ICS - no bid

JA Yanzey & Associates - no bid

1507 North Street, Noblesville, Indiana

Tim & Daughters - \$26,650

ICS - \$15,632

JA Yanzey & Associates - \$24,030

1625 Marbro Lane, Indianapolis, Indiana

Tim & Daughters - \$48,820

ICS - \$39,212

JA Yanzey & Associates - no bid

[2:46:36] Howard returned to the Commissioners meeting and stated that we received bids from three bidders and he recommended the bids be forwarded to the Noblesville Housing Authority and their consultants for review and recommendation at the commissioners next meeting. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Plat Approval [2:33:44]

Windsor Grove II

Thurman recommended approval of the plat for Windsor Grove II Secondary Plat. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Highway Business [2:34:12]

Acceptance of Bonds/Letters of Credit - Highway Department

Thurman requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-05-0089 - Western Surety Company Continuation Certificate for Bond No. 929359346 issued on behalf of Capitol Construction Services, Inc. to now expire December 14, 2007. 2) HCHD #B-06-0046 - Ohio Casualty Insurance

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Company Bond #3768632 issued on behalf of Thompson Thrift Construction, Inc. in the sum of \$30,000 for a road cut to expire October 23, 2007. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department

Thurman requested the release of Bonds and Letters of Credit for the highway department. 1) HCHD#B-#03-0001 - Gulf Insurance Company Subdivision Bond B21869632 for Boomerang Development LLC for Claybourne Subdivision Irrigation Improvements. 2) HCHD#B-03-0068 - Developers Surety and Indemnity Company Performance Bond for Brookstone Park of Carmel LLC for curb, base & binder/surface - Section II. 3) HCHD#B-00-0072- Developers Surety and Indemnity Company Performance Bond #885601S for Brookstone Park of Carmel, LLC for base binder, surface, curbs per Ordinance 4-16-90-B. 4) HCHD#B-05-0085 Bond Safeguard Insurance Company Performance Bond #501808 for Precedent Residential Development for Fox Hollow at Geist, Section 5 curb & gutter. 5) HCHD#B-05-0084 Bond Safeguard Insurance Company Performance Bond #5018085 for Precedent Residential Development for Fox Hollow at Geist, Section 5 street signs. 6) HCHD#B-05-0083 Bond Safeguard Insurance Company Performance Bond #5018084 for Precedent Residential Development for Fox Hollow at Geist, Section 5 - Asphalt Pavement. 7) HCHD #B-04-0057 - Bond Safeguard Insurance Company Permit Bond for Precedent Residential Development for an Open Road Cut Permit on Highland Springs Drive. 8) HCHD#B-04-0049 for Bond Safeguard Insurance Company Performance Bond #5011322 for Precedent Residential Development for Fox Hollow at Geist, Section 2 street signs. 9) HCHD #B-04-0050 Bond Safeguard Insurance Company Performance Bond #5011323 for Precedent Residential Development for Fox Hollow at Geist, Section 2 for cubs and binder. 10) HCHD #B-04-0115 - The Hartford Fire Insurance Company Subdivision Bond #46BSBDF4781 for Centex Homes for Intracoastal at Geist, Section 2A road cut. 11) HCHD #B-03-0106 - The Hartford Fire Insurance Company Subdivision Bond #62636125 for Centex Homes for Intracoastal at Geist, Section 2C for streets, curbs and signs. 12) HCHD #B-04-0102 - The Hartford Fire Insurance Company Maintenance Bond #46BSBDC1600 for Centex Homes for Intracoasal at Geist, Section 4A streets and curbs. 13) HCHD #B-04-0101 - The Hartford Fire Insurance Company Maintenance Bond #46BSBDC1599 for Centex Homes for Intracoastal at Geist, Section 2B streets and curbs. 14) HCHD #B-04-0100 - Safeco Insurance Company Maintenance Bond #6236226-1 for Centex Homes at Intracoastal at Geist, Section 3A streets and curbs. 15) HCHD #B-04-0099 - Safeco Insurance Company Maintenance Bond \$6236121-1 for Centex Homes Intracoastal at Geist, Section 2A streets and curbs. 16) HCHD #B-04-0051 Arch Insurance Company Subdivision Bond #SU5007395 for Centex Homes at Intracoastal at Geist, Section 2B curb cut. 17) HCHD#B-04-0041 - Lexon Insurance Company Subdivision Performance Bond #1003951 for Landlink Development LLC for Village of Town Pointe curbs, streets and signs. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Announcements

Highway Office Closure

Mr. Brad Davis requested permission to close the highway department office on Friday, November 17, 2006 from 11:15 a.m. - 1:00 p.m. for the Milestone appreciation lunch. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Humane Society Building Demolition [2:38:46]

Mr. John Barbee presented the budget for the demolition of the old Humane Society Building on Cumberland Road. Total budget is \$27,670. Proposals were received from: Ray's Trash Service - \$14,974, Midwest Structural Systems - \$59,340 and Kregor Brothers Excavating - \$26,225. Barbee recommended Ray's Trash Service. Dillinger motioned to approve the demolition budget and Ray's Trash Service quote. Altman seconded. Motion carried unanimously.

Animal Shelter Utilities

Barbee stated effective Wednesday, November 16th the county will have final occupancy on the entire Animal Shelter building. Barbee requested confirmation that the utilities will be put in the Humane Society's name and pro-rated with the spay-neuter clinic. Altman motioned to transfer utilities effective November 16th. Dillinger seconded. Motion carried unanimously.

Superior Court 6 Change Order [2:42:19]

Barbee stated Scott Warner is requesting a change order for carpet squares for the 3rd floor renovations. Mr. Scott Warner stated the carpet for the build out does not match the existing carpet. This carpet is a special order and requires a minimum purchase of 1,000 square yards. We need 320 square yards for the job but we could use extra carpet for reserve uses. Holt asked where would you keep it? Warner stated there is a storage room across from his office. Holt asked how long would you be storing the carpet? Warner stated within the next 3-4 years we will have carpet that needs replaced. We may be using some of that if you move voter registration or any other smaller space that may be built out later. Altman asked if there is a transition area where the difference in carpet would be readily apparent? Warner stated no really, only when you go from the back of those rooms to the offices would you see any difference. As far as any public seeing it they would not. Barbee stated it is only special order because it has been discontinued. Holt asked if this is something we are always going to fight? Warner stated with this particular product we will be.

Holt asked in a typical Class A building, what would be the typical thing to do? Warner stated he would like to keep as much life out of this carpet as we can. He thinks we can get a lot more life out of the carpet squares than we did out of the original carpet. He is hoping to get at least 20 years out of the carpet squares. Altman stated she would not vote for the extra if we used it for patching and replacements. Warner stated that is their first goal with it. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Commissioner Committee Reports [2:47:24]

Thoroughfare Plan Update

Altman stated she has been working on the update to the thoroughfare plan and we have some policy decisions that need to be made by the Commissioners on this plan in respect to widths of pavement, tree placement, etc. we need to find a date to meet so we can go through those provisions so the consultant will have direction to finalize the plan. Davis stated they met and discussed sections of what a typical thoroughfare plan would look like. One of the things we have right now is the proposed classification of different roads and we have not had a chance to digest that. Holt asked how long do you think this would take? Davis stated maybe one hour. Holt asked if we can hold this to the next Friday morning meeting? Davis stated Dillinger will be out of town on December 1st and according to Fred Holt has one hour and then he will have to leave to make another appointment. Altman stated she would feel more comfortable if all three

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commissioners discuss this. Dillinger stated we could do it anytime after December 10th. Davis stated there are still some questions on the pedestrian plan. Holt suggested waiting until Davis gets his questions answered and then he will contact the commissioners to set a meeting date.

RTA

Altman stated the RTA will hopefully hire someone as Executive Director by the first of the year. They had a bus demo from IndyGo and they want to bring that up to the different jurisdictions. Altman met with Noblesville, Carmel and Fishers and she is trying to get the Express Bus moving.

IRTC

Altman stated at the IRTC meeting, US 31 has an amendment to the plan to introduce some programming and plan preparation for US 31. The explanation was that this was the pre-cursor to the Major Moves improvements but the numbers are not lining up. Altman has asked Dennis Faulkenburg to look at those numbers that went through the IRTC meeting to see what was going on. Altman stated she does not think there has be a decision on the design for our portion.

Chamber of Indianapolis

Altman stated the Chamber of Indianapolis is starting a Infrastructure Committee.

Regional Commissioners and Council Meetings

Altman stated in the regional Commissioners and Council meetings we are considering looking at legislation that will give us an impact fee for known improvements that we could elect to take or not take. We would not have to do all the infrastructure study such as impacts with courts, jails, etc. There would be a laundry list that the county could adopt an impact fee based on common known cost instead of having to go through the complex analysis. They are also considering requesting authority to place advanced fees on services, there is a gap between when your property is fully assessed and when you are actually provided services. Howard stated if you are going to address the impact fees you will have to address the unit providing the service has the authority to impose the fee. Now, under existing statute, the only entity that can impose an impact fee is the entity that issues the improvement permit. Then you have to do all of the permeations of interlocal agreements for funding.

Excess Levy Appeals

Altman stated we were successful at a recommendation level with the Excess Levy Appeals for the Juvenile Services Center, growth factor and the courts. We do not know what the final action will be.

Attorney [2:56:05]

Ordinance 10-23-06-A, Amending Health Department Code

Mr. Barry McNulty requested approval of Ordinance 10-23-06-A, An Ordinance of the Hamilton County Board of Commissioners Amending Title 16 of the Hamilton County Code. There were mistakes made during the codification of the county ordinances and this ordinance will clean up Title 16. Altman motioned to adopt. Dillinger seconded. Motion carried unanimously.

Ordinance 11-13-06-A, Health Department Fee Schedule

McNulty requested approval of Ordinance 11-13-06-A, Amending the Health Department Fee Schedule. The Hamilton County Board of Health has approved the amended fee schedule. Altman motioned to introduce Ordinance 11-13-06-A, Health Department Fee Schedule and to waive the rules to adopt on first reading. Dillinger seconded. Motion carried unanimously. McNulty asked if the ordinance effective date could be December 1, 2006. Altman motioned to defer the effective date to December 1, 2006. Dillinger seconded. Motion carried unanimously.

NACO Prescription Card

Howard stated he has reviewed the issues Commissioner Altman raised on the NACO Prescription Card. The indemnification does not indemnify them for any loss if they have not acted in a manner consistent with the agreement and applicable standards of care. It is a frivolous litigation issue. It does not apply to the extent that a member county would otherwise have liability. In our immunity section we are expressly immune for actual omissions of other parties. Any act of omission in this distribution would be their act of omission. If the Commissioners elect to move forward he would suggest that this is an extra layer of protection that they be notified that we are not liable and we are immune under the applicable section of Title 34.13. Altman asked if anyone has seen the fees and payments that have been redacted due to confidential information? Mr. Kent Ward stated look at page 13, exhibit B, there are two contracts, one is the complete contract the second is the redacted contract. Ward stated the NACO Prescription Card Program is a program for drug discounts for the under insured and non-insured. It provides a card holder anywhere from 14% to 35% discount on prescriptions with an average discount of 20% that has been realized throughout the country. The cost to the county is zero, it is all being paid for by CareMark. CareMark will provide the brochures and cards. The card is a two sided card. We would provide the county logo and they would provide us with the information for the program. The cards would be sent to us and we would distribute the cards to pharmacies, doctors, clinics, health department, county fair, wherever we decide to distribute the cards. The countys that have provided this service in Indiana include Blackford, Clinton, Sullivan and Montgomery. To date the price savings for these counties have been \$175,611 from November 2005. CVS, Target, Marsh, Meijer, Target, Kroger, Walgreens and Kmart Pharmacies are all participating. CareMark also prints the advertising flyers. Holt asked if the savings applies to pet prescriptions, would that mean anyone who had health insurance or not would save on pet prescriptions by utilizing the card? Ward stated yes. CareMark gets their financing from the pharmaceutical companies and pharmacies. Dillinger stated the Insurance Committee has reviewed this and have spoken with the Commissioners Association and it seems to be a win-win situation for the county. Altman stated Blue Cross-Blue Shield has been distributing the same plan to their Plan B participants. Ward stated the only requirement is that the county has to be a member of NACO. Dillinger motioned to apply for this and distribute the cards as recommended. Altman seconded. Altman asked if we register participants? Ward stated there is no registration or fees. Altman stated we could give the cards out to anyplace we have contact with the public. Ward stated he has spoken with Barry McNulty about he being designated the contact person and he has agreed. Holt asked if it would be possible to have the cards at each of the participating pharmacies? Ward stated yes, that is what is recommended. Holt asked if someone lived in Madison County and picked up one of these cards could they use it in Hamilton County? Ward stated it is only for Hamilton County residents. Motion carried unanimously. Altman motioned to appoint Barry McNulty, Health Department Director, as our point of contact with the program. Dillinger seconded. Motion carried unanimously. Dillinger suggested Swift write a press release.

Riverview Lease Agreement

Mr. Darren Murphy stated the lease agreement with Riverview Hospital for overflow parking required an Exhibit A of the parking area. Riverview had a survey and a rough drawing of parking lot done and he is presenting this as Exhibit A. Dillinger motioned to adopt Exhibit A. Altman seconded. Motion carried unanimously.

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Drainage Board Agreement

Howard stated in regards to a contract discussed earlier today the use and reuse of documents, in one provision the contractor intended a one time use but acknowledged it could get into public domain. There was another use section that sounded contradictory but that use section covered the issue that sometimes in translation from one electronic format to another there are deviations. We clarified that if we changed that deviation it is our problem, not the contractors. Howard presented the red lined changes to the Commissioners for review for the next meeting.

Liability Trust Claim

Howard requested approval of a Liability Trust Claim payable to Michael A. Howard in the amount of \$7,308.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Highway Correspondence [3:17:13]

Thurman requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. 1) Mark A. Olson requesting a signal, Four-Way Stop and Speed Limit Reduction at 146th Street and Shelborne Road. 2) Matthew Crossland, Public Works of Westfield, is requesting a Four-Way Stop at 146th and Shelborne Road. Thurman stated we received a similar request in January 2006 and an investigation was done. That investigation said the traffic split was nearing 68/32 split (68% on 146th Street, 32% on Shelborne). The highway's recommendation at the time was to leave it a two-way Stop, 146th Street does not stop for Shelborne Road and adding additional signage was approved. Thurman stated Mr. Crossland's letter included additional accident data and site distance issues. The highway's investigation and letters state that the new traffic study that was done has changed those numbers around to skew the numbers even more. The numbers now show an 80/20 split. A second issue is the site distance issue, three of the four corners are agricultural. The corn field corners restricted site distance. At this time of year the crops are gone so site distance is not a problem. Next year it will depend on the type of crops that are planted. We do have a disagreement on how site distance is figured. The accident history shows a large number of accidents. Altman stated the problem she had was the two investigations did not match up with the crash history. Mr. Chris Burt stated the investigation for Mr. Olson was for checking the speed limit so he was only looking at crashes along 146th Street between the two intersections and he excluded all of the crashes that took place at the intersection. Thurman stated he did that because he knew he was going to investigate it with the Town of Westfield's request at the intersection. Burt stated the entire intersection investigation is included with Westfield's letter. Thurman stated the crash history for 146th and Shelborne is the same as the Town of Westfield is showing, in 2002-four crashes, 2003-six crashes, 2004-four crashes, 2005-six crashes, 2006-eight crashes, all crashes are at the intersection. Thurman stated when we looked at the type of crashes, a lot of them were failure to yield and have been noted that people thought the cross street traffic stopped. One of the signs we have installed indicates that cross traffic does not stop. Altman asked when was the sign noting cross traffic does not stop put up? Burt stated February 2006. Altman stated apparently the sign is not working correctly. Thurman stated in the MUTCD for meeting a Stop warrant mentions safety and number of crashes, there has to be six in a 12 month period and they need to be related to a four-way stop condition. In going through the crashes and the reasons for those crashes, whether it is a four-way stop or not, those crashes would still occur. Thurman stated highway's recommendation on the Olson and Crossland letters are: keep it at a two-way Stop, add additional signage, additional Stop sign on the left-hand side of the road, go to a 36" Stop Sign and we will continue to monitor it every six months. Holt asked when you have a high profile intersection do you ever send a letter to the adjoining landowner regarding the use of their property? Thurman stated we have done that in the past. Another option would be to buy additional right of way. Thurman stated we have put them on notice that there is a problem. Altman asked if we have taken foliage out? Howard stated the foliage we have taken out is a maintenance issue because there is a liability issue with obstruction of a Stop sign. Dillinger motioned to approve. Holt seconded. Dillinger and Holt approved. Altman abstained. Motion carried. Holt asked if they need a motion to send a letter to the landowner, given this discussion it would be appropriate. Thurman stated they will send a letter to the landowner. 3) David Compton requesting a reverse Curve sign at 136th Street at Prairie Baptist Road. The highway department believes all of the appropriate signage is in place and in the proper location. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. 4) Mrs. Michael R. Green requesting a Stop or Yield sign at Trebah Circle at Carwinion Way. Thurman stated this a subdivision that did not put any traffic control at a couple of intersections. The highway department is recommending putting a Stop sign at one intersection and a Yield sign at the other intersection. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. 5) Christi Venable requesting a speed limit reduction on 126th Street East of Cyntheanne Road. This segment "T's" into Cyntheanne Road and is approximately ½ mile long before it turns into the jurisdiction of the Town of Fishers. The road is currently posted at 45 mph. The highway department recommends no change of speed limit at this time. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. 6) James A. Harkey requesting a speed survey on 216th Street from the Boone County Line to Horton Road. The highway department recommends keeping it un-posted from the Boone County line to Lamong Road and then enacting a speed limit of 45 mph from Lamong Road to Horton Road. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. 7) Mel Robinson requesting a reduced speed limit and relocate Reduce Speed Ahead Sign on 236th Street West of Bakers Corner. The highway department recommends leaving the speed limit at the posted 55 mph. We will move a sign per MUTCD. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. 8) Kathleen R. Seitz requesting an additional left-hand turn lane on 116th Street and Olio Road on the West side. The highway department has discussed this with the Town of Fishers and we have tried to tweak the signal timing. What Ms. Seitz is requesting is not feasible. They will continue to monitor the intersection. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. 9) Andrea Bradley-Stutz requesting a speed limit reduction on Mule Barn Road. The highway department recommends the speed limit be repealed and left unmarked from SR 32 to 226th Street. The 85th percentile for that road is over 60 mph. The 10th percentile speed is over the posted speed limit of 45 mph. There have been two fatalities on that road in the past two years. This is a six mile section of road. A lot of the accidents are in inclement weather of snow, ice or frost on the road. The highway department is recommending from north of 226th Street a 45 mph speed as a transition from unposted to the 35 mph posted speed limit. Holt asked what about the south, is there no transition? Thurman stated from SR 32 up to 226th Street will be un-posted. North of 226th we will post a 45 mph to transition to the 30 mph to the Town of Sheridan. Burt stated Westfield has followed the county standards for this portion. We will forward our investigation to the Town of Westfield to see if they want to change their portion. Dillinger motioned to approve. Holt seconded. Altman stated she would rather leave well enough alone. Dillinger and Holt approved. Altman opposed. Motion carried.

Official Actions [3:39:53]

Mule Barn Road

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Thurman requested approval of the official action to install regulatory signs on Mule Barn Road. Dillinger motioned to approve. Holt seconded. Dillinger and Holt approved. Altman abstained. Motion carries.

Trerice Court & Carwinion Way

Trebah Circle & Carwinion Way

Thurman requested approval of the official action to install regulatory signs at Trerice Court & Carwinion Way and Trebah Circle & Carwinion Way. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

216th Street

Thurman requested approval of the official action to install regulatory signs on 216th Street from Lamong Road to Horton Road. Dillinger motioned to approve. Holt seconded. Dillinger and Holt approved. Altman abstained. Motion carried unanimously.

Sheriff [3:40:58]

Juvenile Services Center Invitations

Sheriff Doug Carter requested approval of a design for the invitation to the Juvenile Services Center Open House.

2007 Vehicle Bids

Carter requested permission to advertise for the purchase of 2007 Sheriff vehicles. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Auditor [3:44:23]

Capital Asset Notification Forms

Ms. Robin Mills requested approval of Capital Asset Notification Forms from the Sheriff's department. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Clerk of the Court Monthly Report

Mills requested acceptance of the Monthly Report of the Clerk of the Circuit Court dated September 2006. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit

Mills requested acceptance of Bond, HCBOC-2006-0015 - Liberty Mutual Insurance Company Performance and Payment Bond #354-020-679 in the amount of \$173,200 for Fredericks, Inc., for the Hamilton County 3rd Floor Renovations, to expire August 28, 2008. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims

Mills requested approval of Payroll Claims for the periods of August 28-September 11 paid October 24, 2006; September 25-October 8 paid October 31, 2006; October 9-22 paid November 3, 2006 and October 23-November 5 paid November 17, 2006. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims

Mills requested approval of Vendor Claims to be paid November 14, 2006. Altman motioned to approve. Altman seconded. Motion carried unanimously.

Altman motioned to adjourn. Dillinger seconded. Motion carried unanimously.

Commissioners Correspondence

Office of Management & Budget COIT Letter

ICMA Center for Performance Measurement Memo from Kent Irwin

Timothy Davis E-mail regarding Arcadia Fire Fees

INDOT Response to Mr. Whitmoyer re: SR 32 Intersection Improvements

Beam, Longest and Neff Notice of Transmittals:

Bridge #133 Preliminary Field Check Meeting Minutes

Bridge #133 Notice of Transmittal of Preliminary Field Check Plans

City of Noblesville Notice of Public Hearing:

Wireless Communication Service Facility at Noble West - Noblesville

IDEM Notice of Sewer Permit Applications:

Fisher Softball Complex - Fishers

Sunny Meadows, Sections 1, 2 & 3 - Fishers

IDEM Notice of Sanitary Sewer Construction Permit Applications:

Somerset, Section 5 - Fishers

Somerset, Section 6 - Fishers

Sunstone, Section 1 - Fishers

Present

Christine Altman, Commissioner

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Robin M. Mills, Auditor

Kim Rauch, Administrative Assistant to Auditor

Fred Swift, Administrative Assistant to Commissioners

Michael A. Howard, Attorney

Darren Murphy, Attorney

Doug Carter, Sheriff

Brad Davis, Highway Director

Joel Thurman, Interim Highway Engineer

Virginia Hughes, Administrative Assistant to Highway Engineer

Amber Emery, Highway Public Service Representative

Dave Lucas, Highway Inspector

Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

Matt Knight, Highway Staff Engineer

Faraz Kahn, Highway Department

HAMILTON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 13, 2006

Kathy Howard, Highway Department
Bob Davis, Highway Superintendent
Robert E. Hayes, Millersburg
K. Nathan Althouse, Miller Surveying
Patti Smith, BLN
Becki Kent, USI
Floyd Burroughs, FEBA
Barry McNulty, Health Department
Jeff Hill, The Corradino Group
Mark McConaghy, Community Development Block Grant
Angie Pappano, Community Development Block Grant
Jeremy Pappano, Community Development Block Grant
Jonathan Babalola, Noblesville Daily Times
Kenton Ward, Surveyor
Tim Menaris, Tim & Daughter’s Inc.

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Robin M. Mills, Auditor